

MICHAEL C. GERAGHTY
ATTORNEY GENERAL
STATE OF ALASKA
Thomas E. Lenhart
Assistant Attorney General
P.O. Box 110300
Juneau, Alaska 99811-0300
907.465.3600
tom.lenhart@alaska.gov

Attorneys for Applicant for Intervention

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

AGDAAGUX TRIBE OF KING COVE,
BELKOFSKI TRIBE, KING COVE
CORPORATION, ALEUTIANS EAST
BOROUGH, CITY OF KING COVE, ETTA
KUZAKIN, and LEFF KENEZUROFF,

Plaintiffs,

v.

STATE OF ALASKA,

Proposed Intervenor-Plaintiff,

v.

SALLY JEWELL, Secretary of the Department of
Interior, KEVIN WASHBURN, Assistant Secretary
For Indian Affairs, RACHEL JACOBSON, Acting
Assistant Secretary for Fish and Wildlife and Parks,
DAN ASHE, Director, United States Fish and
Wildlife Service, GEOFF HASKETT, Regional
Director, United States Fish and Wildlife Service,
and DOUG DAMBERG, Manager, Izembek
National Wildlife Refuge,

Defendants.

Case No.: 3:14-cv-00110 HRH

STATE OF ALASKA'S
MOTION TO INTERVENE

I. Introduction.

Pursuant to Fed. R. of Civ. P. 24, the State of Alaska (State) moves to intervene as a party plaintiff in this case as a matter of right, or alternatively, for permissive intervention. The State is entitled to intervene as of right for both merits and remedies purposes to protect the State, its political subdivisions, and its citizens against the health, safety and socioeconomic impacts resulting from the failure of Defendants to select an alternative displayed in the Izembek Land Exchange Final Environmental Impact Statement (EIS) that meets the statutory requirements of the Omnibus Public Land Management Act of 2009, Pub. Law 111-11, Title VI, Subtitle E (OPLMA), the Administrative Procedure Act, 5 U.S.C. §§701-706 (APA), the Purpose and Need Statement of the EIS, the Alaska National Interest Lands Conservation Act, Pub. Law 96-487 (Dec. 2, 1980)(ANILCA), or of the Trust Responsibility of the United States to American Indians or Alaska Natives under Title 25 of the U.S.C. and the United States Constitution.

The State also has an interest in ensuring that its citizens and communities are provided reasonable access across the vast federal landholdings in the State. In this case, the Defendant's actions have denied Alaska citizens such reasonable access across the Izembek National Wildlife Refuge (Refuge) by rejecting a land exchange¹, previously

¹ In addition to access rights over federal land acquired via a land exchange, federal statutes such as ANILCA may provide access rights in circumstances of existing legal rights historically created, rights guaranteed to communities and property owners effectively surrounded by conservation system units and where needed for the development of transportation and utility systems across conservation system units.

approved and authorized by both the United States Congress and the Alaska Legislature. The rejected land exchange would have exchanged 206 acres of federal land for 43,093 acres of land currently owned by the State, plus over 13,000 acres of land owned or controlled by King Cove Corporation and authorized the State to construct a single-lane road connecting the community of King Cove to the airport at Cold Bay, primarily for the health and safety of King Cove residents (land exchange). The State's paramount interest in the health, safety and welfare of the affected citizens in this matter, as well as the State's interest in management of state land affected and access rights of its citizens, cannot be adequately represented by any other party.

The State has conferred with counsel for plaintiffs and defendants. Plaintiffs do not oppose the State's motion to intervene. Counsel for federal defendants were contacted on Friday, June 27, 2014 regarding their position on this motion but federal defendants have not taken a position on this motion as of the time of filing.

This motion is supported by the accompanying declaration of Edmund Fogels, Deputy Commissioner of the State Department of Natural Resources. This motion is also accompanied by a proposed order and the State's COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF ("Complaint").

II. Background.

A. Factual and procedural background.

The communities of King Cove and Cold Bay, Alaska are separated by the

Izembek National Wildlife Refuge, which effectively surrounds King Cove.

Transportation from King Cove to the all-weather airport at Cold Bay is possible via air and water except during periods of severe weather, which are not uncommon in the Aleutian Islands. When weather makes air and sea travel between communities treacherous or impossible, a road would be the only safe, reliable and affordable means for transporting King Cove patients to Cold Bay, where emergency medevac services are available via the much larger and better equipped Cold Bay airport.

In 1999, Congress passed the King Cove Health and Safety Act (Section 353) of the Consolidated and Emergency Supplemental Appropriations Act of 1999 (Public Law 105-277) that provided funds for the Plaintiff Aleutians East Borough to construct a marine-road link between the communities of King Cove and Cold Bay. The Corps of Engineers completed the King Cove Access Project EIS in 2003 and a ROD in 2004. Information from the 2003 EIS and 2004 ROD were incorporated and tiered in developing Alternatives 4 (hovercraft) and 5 (Lenard Harbor Ferry) in the EIS and ROD which are the subject of this Complaint.²

In 2009, Congress passed the Omnibus Public Land Management Act of 2009 (Public Law 111-11, Title VI, Subtitle E (OPLMA)) which authorized the above described land exchange and directed the Defendant Secretary of Interior (Secretary) “to analyze a land exchange, alternatives for road construction and operation, and a specific road corridor through the Izembek National Wildlife Refuge and the Izembek

² Izembek National Wildlife Refuge Land Exchange/Road Corridor EIS (hereinafter EIS) at pages 1-2, 2-22 and 2-23.

Wilderness.”³ The law required that “the Secretary shall determine that the land exchange (including the construction of a road between the City of King Cove, Alaska, and the Cold Bay Airport) is in the public interest.”⁴

The legislature and governor of the State of Alaska approved and authorized the land exchange in 2010.⁵ The State was a Cooperating Agency throughout the scoping and assessment process leading to the Secretary’s decision.⁶ In its role as Cooperating Agency, the State consistently expressed its strong preference for an alternative in the EIS that would consummate the land exchange and allow construction of a road. *Id.*

“The proposed land exchange would transfer to the State of Alaska all right, title, and interest to a road corridor for the construction, operation, and maintenance of a single lane gravel road between the communities of King Cove and Cold Bay, Alaska.”⁷

The road would provide safe, reliable, and affordable access from King Cove to the Cold Bay Airport, and would allow medical evacuations from King Cove to Anchorage, particularly when wind and wave conditions make air and boat travel dangerous or highly uncomfortable for medical evacuees. OPLMA provided that the road “shall be used primarily for health and safety purposes,

³ Record of Decision (ROD), 79 Fed.Reg. 9759, 9760 (Feb. 20, 2014).

⁴ Section 6402(d) OPLMA.

⁵ Izembek State Game Refuge Land Exchange Bill 2010, Ch. 119, SLA 10. *See also* EIS at page ES-2.

⁶ Cooperating Agency Correspondence, EIS, Appendix J.

⁷ ROD at page 2.

(including access to and from the Cold Bay Airport) and only for noncommercial purposes.”⁸

The EIS describes the Project’s Purpose as follows:

The basic project purpose is to provide a transportation system between the City of King Cove and the Cold Bay Airport. The overall project purpose is to construct a long term, safe, and reliable year round transportation system between the cities of King Cove and Cold Bay.⁹

The EIS describes the Project’s Need as follows:

The need for the proposed action is broader than the focused purpose specified in the Act. The project need arises from the underlying issues related to transportation to and from the community of King Cove. Three needs are identified:

- Health and Safety¹⁰
- Quality of Life¹¹
- Affordable Transportation¹²

⁸ Section 6402(d) OPLMA.

⁹ EIS at page 1-5.

¹⁰ “Historically, for cases requiring emergency care exceeding that available at King Cove Clinic, medical evacuations from the King Cove community arrive first at the Cold Bay Airport via aircraft and marine vessels, depending upon weather conditions and availability of transport modes.” EIS at page 1-7.

¹¹ “Road access would provide peace of mind, particularly during extended periods of inclement weather that prevent marine and air travel. In addition, access to the Cold Bay Airport would provide the students, school board, borough assembly members, and medical service providers residing in the City of King Cove with enhanced opportunities to travel out of their community. Residents would be able to receive mail more frequently, attend sporting events and fundraisers, participate in school field trips, schedule doctor’s appointments, meet with government officials in Anchorage and Juneau more reliably, and to visit extended families living in other communities.” EIS at page 1-8.

On December 23, 2013, the Secretary of the Interior signed a ROD, which was published in the February 20, 2014 Federal Register, in which she selected the no action alternative, thereby denying the land exchange. She found:

The EIS shows that construction of a road through the Izembek National Wildlife Refuge [consisting of 206 acres] would lead to significant degradation of irreplaceable ecological resources that would not be offset by the protection of other lands [13,300 acres of King Cove Corporation land and 43,093 from the state of Alaska]¹³ to be received under an exchange.¹⁴

Subsequent to release of the ROD, the Alaska legislature passed a joint resolution urging the Secretary to reconsider selection of the no action alternative.¹⁵

B. Alaska's interests in the instant action.

The State's interests in this case are clear and distinct. The decision of the Secretary of Interior to select an alternative that fails to implement the land exchange authorized by Congress and the Alaska legislature negatively affects the health, safety,

¹² "The transportation system must be affordable by local families and be constructed, operated, and maintained at a cost that can be borne by local or state government. The transportation must be practical in the context of the Cold Bay and King Cove area, so that it can be operated and maintained without undue requirements for specially trained personnel or specialized equipment, and can provide safe, reliable, affordable transportation with the least amount of interruption by weather conditions." EIS at page 1-9.

¹³ ROD at page 2.

¹⁴ ROD at page 3.

¹⁵ Alaska HJR 30 (transmitted to governor April 12, 2014).

and welfare of the citizens of Alaska, particularly the residents of King Cove. The decision also negatively impacts the ability of the State to manage its land and access across the state.

The Alaska Constitution provides that the State legislature shall provide for the promotion and protection of public health and public welfare.¹⁶ Residents of King Cove have died due to the inability to reach the all-weather airfield at Cold Bay when conditions make air and sea travel between King Cove and Cold Bay hazardous or impossible. This decision by the Secretary denies the State the ability to swap 43,093 acres of State land which would be added to the Izembek Refuge for 206 acres of federal land currently in the refuge. The exchange of state land for these strategically located federal acres is necessary to enable the State to construct the short road required to provide King Cove residents with safe medical evacuation when needed during severe weather. The interest of the State in protecting the health, safety, and welfare of its citizens is beyond question.

The Alaska Constitution also provides that the legislature shall provide for the “utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of the people.”¹⁷ In the case of the Izembek refuge, the Secretary’s ROD prevents the state from using its land for an exchange that would benefit its people by allowing access that is needed for the health

¹⁶ Alaska Const. Art. VII §§ 4 and 5.

¹⁷ Alaska Const. Art. VIII § 2.

and welfare of its people. Only the State can fully and adequately represent its interests in the management and exchange of state land. The State also has a separate interest in the ROD as a result of the large investment of time and resources by State personnel acting in the role of Cooperating Agency throughout the Secretary's decision process, including scoping, draft environmental impact statement development, and work on the final environmental impact statement. Having been active as a Cooperating Agency throughout the decision process on the Izembek land exchange, the State brings a unique perspective to this litigation which cannot be fully represented by any other party.

Finally, the State has an interest in ensuring that its citizens and communities are provided reasonable access across the vast federal landholdings in the State. In this case, the health and safety purposes of such access over the Izembek Refuge are literally of life and death importance.

III. Points and Authorities.

A. The State is entitled to intervene as a matter of right.

Pursuant to Fed. R. Civ. P. 24(a)(2), a court must, upon timely motion, permit intervention as a matter of right by anyone who "claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect its interest, unless existing parties adequately represent that interest." Courts construe the

rule liberally and in favor of potential intervenors.¹⁸ The court's evaluation is "guided primarily by practical considerations,"¹⁹ and a court must accept as true the non-conclusory allegations made in support of an intervention motion.²⁰

The Ninth Circuit has adopted a four-part test for intervention as of right:

- (1) the motion must be timely;
- (2) the applicant must claim a "significantly protectable interest" relating to the property or transaction which is the subject of the action;
- (3) the applicant must be so situated that the disposition of the action may, as a practical matter, impair or impede its ability to protect that interest; and
- (4) the applicant's interest must not be adequately represented by the parties to the action.²¹

The State meets all four facets of this test.

B. The State's motion is timely.

Timeliness is dependent on the stage of the proceedings, potential prejudice to the parties, and the reason for any delay.²² Prejudice to existing parties is the most important

¹⁸ *Sw. Ctr. For Biological Diversity v. Berg*, 268 F.3d 810, 818 (9th Cir. 2001).

¹⁹ *Id.* at 818.

²⁰ *Sw. Ctr. For Biological Diversity*, 268 F.3d at 819 (citing to *Reich v. ABC/York-Estes Corp.*, 64 F.3d 316, 321 (7th Cir. 1995)).

²¹ *Wilderness Soc. v. U.S. Forest Serv.*, 630 F.3d 1173, 1177 (9th Cir. 2011) (citing *Sierra Club v. EPA*, 995 F.2d 1478, 1481 (9th Cir. 1993)).

timeliness consideration.²³ The State has moved to intervene at the earliest stage of this case, within a few weeks of plaintiffs' filing the complaint, and before the federal defendants have answered and before any substantive motions have been made. The State's intervention will not cause undue delay or otherwise prejudice any parties' rights in this action. Thus, the State's intervention at this stage is timely. The proposed Intervenor has prepared and is ready to file its Complaint, which is lodged with this motion.

C. The State claims a significantly protectable interest in this action.

To intervene as of right, an applicant need not establish standing, or show a particularized injury of the type used to establish standing.²⁴ No specific legal or equitable interest need be established.²⁵ An applicant need only demonstrate a "significantly protectable interest."²⁶

²² *State of Alaska v. Suburban Propane Gas Corp.*, 123 F.3d 1317, 1319 (9th Cir. 1997).

²³ *United States v. Oregon*, 745 F.2d 550, 552 (9th Cir. 1984).

²⁴ *Didrickson v. United States Dept. of Interior*, 982 F.2d 1332, 1340 (9th Cir. 1992).

²⁵ *Greene v. United States*, 996 F.2d 973, 976 (9th Cir. 1993).

²⁶ *Id.*, 996 F.2d at 976, citing *Portland Audubon Soc. v. Hodel*, 866 F.2d 302, 309 (9th Cir. 1989), *cert denied*, 492 U.S. 911 (1989).

A proposed Intervenor will “generally demonstrate a sufficient interest” if “it will suffer a practical impairment of its interests as a result of the pending litigation.”²⁷ The Ninth Circuit applies this broad interest criterion to involve “as many apparently concerned persons as is compatible with efficiency and due process.”²⁸ It is generally enough that the interest asserted is protectable under some law and that there is a relationship between the protected interest and the claims at issue.²⁹ As detailed in this motion, the State’s interests satisfy the second element of the intervention analysis. The State has both an interest in promoting the health, safety and welfare of its citizens and an interest in managing its natural resources, including the management of state-owned lands and the provision of access for its citizens. Selection of an alternative that would implement the land exchange under OPLMA would result in the exchange of 43,093 acres of State land (plus interests in King Cove Corporation lands) for 206 acres of federal land. The Secretary’s ROD denied the State this opportunity.

By rejecting the exchange of federal land for State land as authorized by Congress in the OPLMA and the Alaska legislature, the State’s ability to manage its resources and provide for its citizens is constrained. In this case, the State’s interest in the proposed land exchange is to acquire the 206 acres necessary to construct a road connecting the community of King Cove to the all-weather airport at Cold Bay. Road access to the

²⁷ *Wilderness Soc. v. U.S. Forest Serv.*, 630 F.3d 1173, 1180 (9th Cir. 2011) (citations omitted).

²⁸ *County of Fresno v. Andrus*, 622 F.2d 436, 438 (9th Cir. 1980) (citations omitted).

²⁹ *Sw. Ctr. For Biological Diversity*, 268 F.3d at 818.

airport is critical to the health, safety and welfare of residents of King Cove as it is frequently impossible or extremely hazardous to reach medevac services at Cold Bay due to extreme weather that makes air and sea travel from King Cove to Cold Bay extremely dangerous. As this decision prevents the land exchange necessary to connect King Cove to Cold Bay, it also thwarts the ability of the State to promote and protect the health, safety and welfare of its citizens. The State devoted considerable time and resources to providing input to the Secretary regarding these interests and concerns by participating throughout the process as Cooperating Agency and is entitled to participate in this suit challenging the Secretary's decision.

D. Absent intervention, disposition of this dispute would impair and impede the State's ability to protect its interests.

The third criterion for intervention as of right is that the action's disposition, as a practical matter, may impair or impede the intervenor's ability to protect its asserted interests.³⁰ The question of impairment is not separate from the question of existence of an interest.³¹ In reviewing this criterion, the courts look to the "practical consequences" of denying intervention, even where the possibility of future challenge to the regulation [remains] available."³²

³⁰ *Wilderness Soc. v. U.S. Forest Serv.*, 630 F.3d at 1177.

³¹ *See, e.g., Natural Res. Def. Council, Inc. v. U.S. Nuclear Regulatory Comm'n*, 578 F.2d 1341, 1345 (10th Cir. 1978).

³² *Natural Res. Def. Council v. Costle*, 561 F.2d 904, 909 (D.C. 1977).

Disposition of this action will result in a continued constraint upon the State's management of its natural resources. In this case, a decision upholding the Secretary's action in not implementing the land exchange prevents the State from executing the land exchange authorized by the Alaska legislature and the United States Congress and from constructing a road necessary for the health, safety and welfare of King Cove residents. For these reasons, the State satisfies the impairment requirement.

E. The State's interests are not adequately represented.

The final criterion for intervention is whether the representation of the State's interests by existing parties "may be" inadequate. The burden of that showing is minimal.³³

In assessing the adequacy of representation, courts consider

(1) whether the present parties' interests are such that they will undoubtedly make all the intervenor's arguments;

(2) whether the present parties are capable of and willing to make those arguments; and

(3) whether the would-be intervenor would offer any necessary elements to the proceedings that other parties would neglect.³⁴

³³ *Sw. Ctr. For Biological Diversity*, 268 F.3d at 823.

³⁴ *Id.*, at 822.

The court's inquiry focuses on the subject of the action, not just the particular issues before the court at the time of the motion.³⁵ Where an applicant for intervention and an existing party have the same ultimate objective, a presumption of adequacy of representation arises.³⁶

In seeking intervention, the State requests that the Court invalidate the Secretary's December 23, 2013 decision selecting the no action alternative in the Izembek EIS. Despite seeking similar relief, the above-captioned plaintiffs do not adequately represent the State's interests.

The State has separate and distinct interests, including obligations to manage its land and resources for the benefit of the people and to protect the health, safety and welfare of the State's citizens.³⁷ Although the citizens of King Cove obviously share a similar concern for their own health, safety and welfare, the State's obligation is not a delegable responsibility.

In addition, 43,093 acres of the land to be exchanged under OPLMA is state-owned land that the Alaska legislature has authorized be exchanged for 206 acres of federal land. Only the State, as owner and manager of this land, can adequately represent the State's interest regarding this majority of the land affected by the Secretary's decision. In addition, the 206 acres of federal land to be exchanged under OPLMA would become State owned land, and once again, only the proposed land owner can adequately

³⁵ *Id.* at 823.

³⁶ *Id.*

represent the State's interest regarding this land. The State, as land manager, has unique knowledge concerning and interest in the use and management of these lands and the effects of the land exchange on the public as well as on the environment.

While the State and the other plaintiffs share an ultimate interest in the construction of a road for health, safety and welfare reasons, it is very possible that the interests may diverge on the specifics of acquiring the lands or the access rights to build the road across the federal refuge. Certainly the residents do not possess the same interests in the 43,093 acres of land to be exchanged by the State as the present owner.

The State brings experience and expertise to this litigation that no other plaintiff shares. In the role of Cooperating Agency, state personnel cooperated extensively with the federal government in many aspects of the decision process for this proposed land exchange. With a large staff of biologists, natural resource managers, and other professionals, the State was intimately involved as a Cooperating Agency in the development of the NEPA analysis, and thus brings knowledge and an interest to the litigation that other parties cannot.

Accordingly, the State has satisfied its burden of showing that its interests may not be adequately represented by any of the other plaintiffs. In summary, the State satisfies all elements under Fed. R. Civ. P. 24(a) and is entitled to intervene in this case as a matter of right for all purposes.

³⁷ Alaska Const. Art. VII §§ 4 & 5.

IV. The State should be granted permissive intervention.

Alternatively, if this Court finds that the State is not entitled to intervention as a matter of right, the State requests permissive intervention under Fed. R. Civ. P. 24(b)(2). Upon timely filing of a motion, a court may permit a party to intervene who “has a claim or defense that shares with the main action a common question of law or fact” after considering whether “intervention will unduly delay or prejudice the adjudication of the rights of the original parties.”³⁸ The Ninth Circuit applies a three-prong test to determine if permissive intervention is appropriate:

- (1) the movant must show an independent ground for jurisdiction;
- (2) the motion must be timely; and
- (3) the movant's claim or defense and the main action must have a question of law and fact in common.³⁹

First, this Court has jurisdiction to hear this case as a federal question and under the Administrative Procedure Act. 28 U.S.C. § 1331; 5 U.S.C. §§ 701 *et. seq.* Second, the State's motion is timely for the reasons presented in Section III. B, above. Third, the State satisfies the commonality requirement because the State seeks to challenge the same Secretary of the Interior decision that is the subject of the original complaint in this case. The State's claim, therefore, necessarily has questions of law and fact in common with the main action. Further, the State submits that its participation in this case will

³⁸ Fed. R. Civ. P. 24 (b)(1)(B), (b)(3).

³⁹ *Venegas v. Skaggs*, 867 F.2d 527, 529 (9th Cir. 1989) *aff'd sub nom. Venegas v. Mitchell*, 495 U.S. 82, 110 S. Ct. 1679, 109 L.Ed. 2d 74 (1990) (citations omitted).

“contribute to full development of the underlying factual issues in the suit and to the just and equitable adjudication of the legal questions presented.”⁴⁰ The State’s intervention will also benefit the Court in considering the public interests at stake and balancing the hardships of injunctive relief, if such relief is considered.⁴¹

CONCLUSION

For the reasons set forth above, this Court should grant the State’s Motion to Intervene as of right under Fed. R. Civ. P. 24(a) or, alternatively, permit the State to intervene under Fed. R. Civ. P. 24(b)(2).

Respectfully submitted June 30, 2014 by:

MICHAEL C. GERAGHTY
ATTORNEY GENERAL

By: s/Thomas E Lenhart
Assistant Attorney General
Alaska Bar No. 0703006
P.O. Box 110300
Juneau, AK 99811-0300
907.465.3600 main phone
907.465.2417 fax
tom.lenhart@alaska.gov

Attorney for Proposed Intervenor-
Plaintiff State of Alaska

⁴⁰ *U.S. Postal Service v. Brennan*, 579 F.2d 188, 192 (9th Cir. 1978).

⁴¹ *Amoco Production Co. v. Village of Gambell*, 480 U.S. 531, 541-542 (1987) (in balancing the competing claims of injury “particular regard should be given to the public interest”).

CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2014 copies of the foregoing
STATE OF ALASKA'S MOTION TO INTERVENE,
[PROPOSED] COMPLAINT IN INTERVENTION OF THE STATE OF ALASKA,
[PROPOSED] ORDER GRANTING INTERVENTION
and
DECLARATION OF EDMUND FOGELS IN SUPPORT OF
STATE OF ALASKA'S MOTION TO INTERVENE,
were served electronically via the Court's ECF filing system on the following parties
below as listed in the JOINT STIPULATED CASE SCHEDULE
filed with this court on June 27, 2014:

Steven W. Silver Alaska Bar # 7606089
Robertson, Monagle and Eastaugh
1810 Samuel Morse Dr., Suite 202
Reston, VA 20190
Tel: 703-527-4414
Fax: 703-527-0421
ssilver628@aol.com

James F. Clark Alaska Bar # 6907025
Law Office of James F. Clark
1109 C Street
Juneau, Alaska 99801
Tel: 907-586-0122
Fax: 907-586-1093
jfcclarkiii@gmail.com

DOMINIKA TARCZYNSKA, Trial Attorney
Natural Resources Section
P.O. Box 7611
Washington, D.C. 20044-7611
(202) 305-0447
202-305-0506 (fax)
dominika.tarczynska@usdoj.gov

STACEY BOSSHARDT, Senior Trial
Attorney
Natural Resources Section
P.O. Box 7611
Washington, D.C. 20044-7611
(202) 514-2912
202-305-0506 (fax)
stacey.bosshardt@usdoj.gov

s/Thomas E. Lenhart,
Assistant Attorney General, State of Alaska